

AN ACT

ENTITLED, An Act to define certain serious injuries to infants as aggravated assault and to provide a penalty therefor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 22-18-1.1 be amended to read as follows:

22-18-1.1. Any person who:

- (1) Attempts to cause serious bodily injury to another, or causes such injury, under circumstances manifesting extreme indifference to the value of human life;
- (2) Attempts to cause, or knowingly causes, bodily injury to another with a dangerous weapon;
- (3) Attempts to cause or knowingly causes any bodily injury to a law enforcement officer or other public officer engaged in the performance of the officer's duties;
- (4) Assaults another with intent to commit bodily injury which results in serious bodily injury;
- (5) Attempts by physical menace with a deadly weapon to put another in fear of imminent serious bodily harm;
- (6) Is a convicted person under the jurisdiction of the Department of Corrections and attempts to cause, or knowingly causes bodily injury to a Department of Corrections employee, or authorized visitor, volunteer, or person under contract assigned to the Department of Corrections; or
- (7) Intentionally or recklessly causes serious bodily injury to an infant, less than three years old, by causing any intracranial or intraocular bleeding, or swelling of or damage to the brain, whether caused by blows, shaking, or causing the infant's head to impact with an object or surface;

is guilty of aggravated assault. Aggravated assault is a Class 3 felony. However, a violation of

subdivision (7) is a Class 2 felony. A second or subsequent violation of subdivision (7) is a Class 1 felony.

An Act to define certain serious injuries to infants as aggravated assault and to provide a penalty therefor.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1283

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1283
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
=====

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State